

**COPY**

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE  
COMMISSION

May 6 2 12 PM '02

Village of Tilton, Vermilion County, Illinois,

Petitioner,

v.

Norfolk and Southern Railway and State of Illinois,  
Department of Transportation,

Respondents.

Petition for an Order regarding a separation of grades and  
construction of a bridge carrying 14<sup>th</sup> Street (FAU 7010),  
Village of Tilton, Vermilion County, Illinois, over the  
tracks of said Railway Company, apportioning cost thereof  
and directing an appropriate portion thereof to be borne by  
the Grade Crossing Protection Fund.

: TRANSPORTATION DIV.

: Docket No. T00-0103

MOTION FOR PREHEARING CONFERENCE

NOW COMES Respondent, NORFOLK SOUTHERN RAILWAY COMPANY, by and  
through its attorney, NEIL F. FLYNN, pursuant to 83 Illinois Administrative Code 200.300, and  
hereby requests that a prehearing conference among the Administrative Law Judge, all parties and  
the Commission Staff be scheduled for and conducted on May 22, 2002 at 10:00 a.m.

1. The purpose of the prehearing conference is to allow the parties to be apprized as  
to the status of the funding for the subsidence assessment; for the parties to be apprized of the  
results of any subsidence assessment work performed to date; to discuss the proposed funding for  
the project; to discuss the proposed cost division for the project; and to discuss any other  
information relevant to the issues to be presented in this docket.

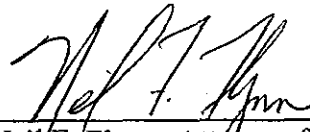
**DOCKETED**

2. Respondent Norfolk Southern respectfully submits that the prehearing conference will help simplify the issues to be presented in this case and will aid the parties and Commission Staff in their preparation for this case.

3. The undersigned attorney for Norfolk Southern has previously discussed the content of this Motion with the attorney of record for the Village of Tilton and the attorney of record for Respondent CSX Transportation, Inc.

WHEREFORE, Norfolk Southern respectfully requests that a prehearing conference be scheduled for May 22, 2002 at 10:00 a.m., and that a hearing on the merits be rescheduled for a subsequent date.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Neil F. Flynn", is written over a horizontal line.

Neil F. Flynn, Attorney for Respondent  
Norfolk Southern Railway Company

**Dated: May 6, 2002**

Neil F. Flynn  
Attorney at Law  
1035 South Second Street  
P.O. Box 37  
Springfield, IL 62705  
Telephone: 217-544-0261

### PROOF OF SERVICE

The undersigned certifies that on May 6, 2002, a copy of the foregoing instrument was served upon the following parties by depositing said instrument in the U.S. Mail, with postage thereon fully prepaid, at Springfield, Illinois, plainly addressed as follows:

Kevin Sharpe, Director of Processing  
Illinois Commerce Commission  
527 East Capitol  
P.O. Box 19280  
Springfield, IL 62794-9280

Mr. Bob Berry  
Railroad Staff  
Illinois Commerce Commission  
527 East Capitol  
Springfield, IL 62701

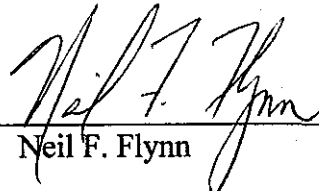
Mr. James C. Slifer, Director  
Division of Highways  
Illinois Department of Transportation  
2300 South Dirksen Parkway  
Springfield, IL 62764

Dan Schuering  
Attorney for Village of Tilton  
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Springfield, IL 62791-9622

Joseph H. O'Brien  
Administrative Law Judge  
Illinois Commerce Commission  
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Neil F. Flynn